

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**CARL A. BENDER,**

**Plaintiff,**

**Vs.**

**COMMISSIONER OF SOCIAL  
SECURITY,**

**Defendant.**

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**CASE NO.5:12CV2197**

**JUDGE CHRISTOPHER A. BOYKO**

**ORDER**

**CHRISTOPHER A. BOYKO, J:**

This matter is before the Court on Magistrate Judge Vecchiarelli's Report and Recommendation (ECF #34) to grant Plaintiff's Application for Attorney Fees Under the Equal Access to Justice Act. (ECF #28). Defendant filed a Response to the Motion stating they do not object to the Application. Defendant has not filed a response to the Report and Recommendation.

FED. R. CIV.P. 72(b) provides that objections to a report and recommendation must be filed within fourteen days after service, but Defendant

has failed to timely file any such objections. Therefore, the Court must assume that Defendant is satisfied with the Magistrate Judge's recommendation. Any further review by this Court would be a duplicative and an inefficient use of the Court's limited resources. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir.1981).

Therefore, the Court adopts the Report and Recommendation of the Magistrate Judge, grants Plaintiff's Motion and authorizes attorney fees in this case of \$5,885.00. If counsel for the parties can verify that Plaintiff owes no pre-existing debts to the United States that are subject to offset, Defendant shall direct that the award be made payable to Plaintiff's counsel subject to the assignment signed by Plaintiff and his counsel.

IT IS SO ORDERED.

Date: 4/8/2016

s/Christopher A. Boyko  
CHRISTOPHER A. BOYKO  
United States District Judge